



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

R. Scott Rhoades
Strasburger & Price
901 Main Street
Suite 4300
Dallas, TX 75202-3794

COPY MAILED

APR 18 2007

OFFICE OF PETITIONS

In re Application of : DECISION ON RENEWED
Mathew Davis Gard :
Application No.: 09/227,490 : PETITION UNDER
Filed: January 6, 1999 :
Attorney Docket No.: 35684.0101 : 37 CFR 1.137(b) AND 1.181
For: COMPUTER INTERFACE DEVICE :
:

Applicant was mailed a decision on 09 November 2004 dismissing applicant's petition under 37 CFR 1.137(b) to revive the present application. Applicant was afforded two months to file any request for reconsideration.

From 24 June 2005 to 20 September 2005, applicant filed four status letters indicating that a response, including the submission of formal drawings, had been filed on 05 January 2005. On 22 November 2005, applicant filed the petition under 37 CFR 1.181 considered herein. In addition, applicant filed renewed petitions under 37 CFR 1.137(b) on 28 August 2006 and 08 March 2007. Applicant is advised that no new petition fees are required. As such, the petition fee payments of \$260.00 received on 22 November 2005 and 08 March 2007 will be refunded to deposit account number 19-4547.

Applicant states that corrected formal drawings were submitted on 05 January 2005. Applicant has included a stamped postcard receipt showing that papers were filed with the USPTO on 05 January 2005; including a "Request for Reconsideration Dismissed Petition, with formal drawing figures." However, applicant has not included a copy of the filing nor a statement that the copy provided is a true and complete copy of the papers originally filed on 05 January 2005. As there are no new, formal drawings to inspect it is not possible to grant applicant's petition under 37 CFR 1.181 at this time and it is **DISMISSED**.

A decision on the renewed petition under 37 CFR 1.137(b) will be held in abeyance pending applicant filing a grantable renewed petition under 37 CFR 1.181 with corrected formal drawings to see if there drawings satisfy the missing element detailed in the decision mailed 09 November 2004.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181."

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (703) 872-9306
 ATTN: Office of Petitions

This application remains **ABANDONED**.

Telephone inquiries concerning this decision should be directed to the undersigned.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen', is positioned above the printed name.

Derek A. Putonen
Attorney Advisor
(571) 272-3294